IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1381 OF 2004
IN
FIRST APPEAL NO.557 OF 2006

The Oriental Insurance Co. Ltd. ...Applicant
Vs.
Bhola Yadav & Anr. ...Respondents

Mr Kode i/by J.S. Chandanani for the Applicant.

CORAM : A. S. OKA, J.
DATE : MAY 03, 2006.

P.C.:

1. Heard the Advocate appearing for the Applicant. None appears for the Respondent No.1. Entire decretal amount has been deposited in the lower court. By ad-interim order dated 19th April, 2004 this Court has already permitted the Respondent No.1 to withdraw 50% of the amount deposited by the Applicant. None appears for the Respondent No.1. Civil Application deserves to be disposed of in terms of the ad-interim order. Accordingly, Civil Application is disposed of by passing following order:

(i) Rule is made absolute in terms of ad-interim order dated 19th April, 2004. If the Respondent No.1 fails to withdraw one half of the amount as permitted by order dated 19th

April, 2004 within period of twelve weeks from today, the learned Commissioner of the Workmen's Compensation will invest the said amount in fixed deposit in any nationalised bank initially for a period of five years and thereafter fixed deposit shall be renewed on yearly basis till the disposal of the Appeal.

(ii) The learned Commissioner of the Workmen's Compensation will also invest the balance one half amount deposited by the Applicant in fixed deposit in any nationalised bank initially for a period of five years and thereafter fixed deposit shall be renewed on yearly basis till the disposal of the Appeal.

JUDGE